

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	)	No. 03 MDL 1570 (GBD/SN)
	)	
In re Terrorist Attacks on September 11, 2001	)	ECF Case
	)	
	)	<b>ORAL ARGUMENT REQUESTED</b>
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	)	
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This document relates to:

*Federal Insurance Co., et al. v. Al Qaida, et al.*, 03-cv-06978  
*Thomas E. Burnett, Sr., at al. v. Al Baraka Inv. & Dev. Corp., et al.*, 03-cv-09849  
*Estate of John P. O'Neill, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al.*, 04-cv-01923  
*Continental Casualty Co., et al. v. Al Qaeda, et al.*, 04-cv-05970  
*Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al.*, 04-cv-07065  
*Euro Brokers Inc., et al. v. Al Baraka Inv. & Dev. Corp., et al.*, 04-cv-07279

**NOTICE OF DEFENDANT DUBAI ISLAMIC BANK'S  
MOTION FOR SUMMARY JUDGMENT  
AND RENEWED MOTION FOR DISMISSAL  
(LIMITED TO PERSONAL JURISDICTION)**

Please take notice that, upon the following Memorandum of Law in Support of Defendant Dubai Islamic Bank's Motion for Summary Judgment, and all the papers and proceedings heretofore had herein, Defendant Dubai Islamic Bank ("DIB") moves this Court for summary judgment pursuant to Federal Rule of Civil Procedure 56 (or, in the alternative, for a renewed motion to dismiss pursuant to Federal Rule of Civil Procedure 12) for lack of personal jurisdiction. There is no genuine dispute as to any material fact. The material, undisputed facts demonstrate the absence of personal jurisdiction over DIB, a foreign entity. Should this Court deem any material fact disputed, however, DIB requests an evidentiary hearing, as the Court is the

appropriate finder of jurisdictional facts. DIB reserves its right to seek summary judgment on other grounds should this motion be denied. *See* ECF 7160; ECF 7096 at 3. While DIB believes the undisputed facts show the absence of personal jurisdiction, the Court could in the alternative reach the same conclusion on this renewed motion to dismiss under Federal Rule of Civil Procedure 12(b)(2). DIB maintains its request for an evidentiary hearing under either alternative.

DIB bases this motion on this Notice of Motion, the accompanying Rule 56.1 Statement of Undisputed Material Facts, Memorandum of Law, Declaration of Steven T. Cottreau, exhibits, the requested oral argument if any be granted, and all materials in the discovery record.

Pursuant to the Court's order of September 29, 2021, Plaintiffs shall file any opposition to this motion by January 18, 2022, and DIB shall file any reply by February 17, 2022. ECF 7160.

Dated: December 3, 2021

Respectfully submitted,

/s/ Steven T. Cottreau

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